

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Amendment of Section 73.202(b)	)	MB Docket No. 05-128
Table of Allotments,	)	RM-11210
FM Broadcast Stations.	)	
(Tipton, Oklahoma)	)	
	)	

**REPORT AND ORDER  
(Proceeding Terminated)**

**Adopted: July 13, 2005**

**Released: July 15, 2005**

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it a *Notice of Proposed Rule Making*<sup>1</sup> issued in response to a petition for rule making filed by Charles Crawford (Petitioner), requesting the allotment of Channel 233C3 at Tipton, Oklahoma, as the community's first local service. Petitioner filed comments, stating his continuing interest in pursuing the allotment, and his intention to apply for a construction permit. No other comments or counterproposals were received.

2. We believe the public interest would be served by allotting Channel 233C3 at Tipton, Oklahoma.<sup>2</sup> Tipton is an incorporated community with a 2000 U.S. Census population of 916 persons, and is therefore a community for allotment purposes, deserving of a first local aural transmission service. Channel 233C3 can be allotted to Tipton in compliance with the minimum distance separation requirements of the Commission's rules at reference coordinates 34-32-30 North Latitude and 99-14-10 West Longitude with a site restriction of 9.8 kilometers (6.1 miles) northwest of Tipton. The Commission will send a copy of this Report and Order in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. Section 801(a)(1)(A).

3. Accordingly, pursuant to the authority found in 47 U.S.C. Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) and 47 C.F.R. Sections 0.61, 0.204(b) and 0.283, IT IS ORDERED, That effective, August 29, 2005, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED for the community listed below, as follows:

<u>Community</u>	<u>Channel No.</u>
Tipton, Oklahoma	233C3

<sup>1</sup> *Tipton, Oklahoma*, 20 FCC Rcd 6209 (MB 2005).

<sup>2</sup> Our action in this proceeding is subject to the final outcome of MM Docket No. 00-148, which dismissed by a *Report and Order*, proposals that conflict with the instant proposal for Tipton. *See Quanah, Texas, et al.*, 18 FCC Rcd 9495 (MB 2003) application for review pending. *See also Auburn, Alabama, et al.*, 18 FCC Rcd 10333 (MB 2003).

4. A filing window period for Channel 233C3 for Tipton, Oklahoma will not be opened at this time. Instead, the issue of opening this allotment for auction will be addressed by the Commission in a subsequent order.

5. IT IS FURTHER ORDERED, That the aforementioned proceeding IS TERMINATED.

6. For further information concerning this proceeding, contact Helen McLean, Media Bureau, (202) 418-2738.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos  
Assistant Chief  
Audio Division  
Media Bureau